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Approved for use through 10/31/2002 OMB 0651-0032

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	MCA-499Div.
First Inventor	Benny Garcia
Title	IMPROVED ELECTRODEIONIZATION SYSTEM
Express Mail Label No.	ET121813705US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages ☐ 12]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets ☐ 2]
5. Oath or Declaration [Total Pages ☐]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Replacement Sheet

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 09 / 616,137

Prior application information:

Examiner Parsons, Thomas H.

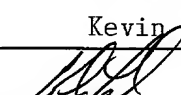
Group / Art Unit: 1741

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Labelor ☒ Correspondence address below

(insert Customer No. or Attach bar code label here)

Name	Kevin S. Lemack				
Address	Nields & Lemack				
	176 E. Main Street				
City	Westboro	State	MA	Zip Code	01581
Country	U.S.A.	Telephone	(508) 898-1818	Fax	(508) 898-2020

Name (Print/Type)	Kevin S. Lemack	Registration No. (Attorney/Agent)	32,579
Signature		Date	Jan. 29, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 740.00**Complete if Known**

Application Number	Not yet assigned
Filing Date	Herewith By Express Mail
First Named Inventor	Benny Garcia
Examiner Name	Not yet assigned
Group Art Unit	Not yet assigned
Attorney Docket No.	MCA-499Div.

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 14-0930

Deposit Account Name Nields & Lemack

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	\$740
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 740.00**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
7	-20** = 0	18	0
1	-3** = 0	84	0
Multiple Dependent		280	0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**


Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Kevin S. Lemack	Registration No. (Attorney/Agent)	32,579	Telephone	(508) 898-1818
Signature				Date	Jan. 29, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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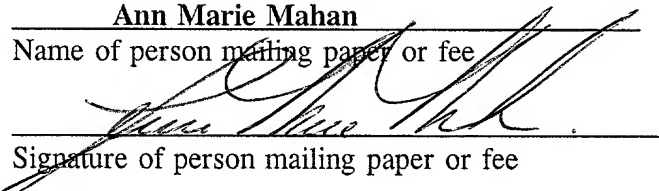
Applicants : Benny Garcia, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : IMPROVED ELECTRODEIONIZATION SYSTEM
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : MCA-499Div.
Type of paper : Letter

"EXPRESS MAIL" MAILING LABEL NO. **ET121813705US**
DATE OF DEPOSIT: January 29, 2002

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, **BOX: PATENT APPLICATION.**

Ann Marie Mahan

Name of person mailing paper or fee


Signature of person mailing paper or fee

20021013 10059573 012902

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Benny Garcia and Andrew Proulx**

For: **IMPROVED ELECTRODEIONIZATION SYSTEM**

Assistant Commissioner of Patents
BOX: PATENT APPLICATION
Washington, D.C. 20231

Sir:

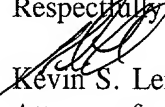
LETTER

The above-identified applicant enclose for filing a Divisional patent application entitled "**IMPROVED ELECTRODEIONIZATION SYSTEM**". Said attached Divisional patent application includes (1) Utility Patent Application Transmittal Letter (1-Page); (2) Divisional Patent Application: 12-page Specification (including 2-Pages of Claims (7) and 1-Page Abstract), 2-sheets A4 size drawings and a copy of the executed combined Declaration (1-Page) filed in prior application serial no. 09/616,137; (3) Preliminary Amendment (1-Page), together with a Replacement sheet (1-Page); and (4) Fee transmittal Form, together with a check in the amount of \$740.00 in payment of the filing fee.

All correspondence concerning this application should be mailed to:

**Kevin S. Lemack
Nields & Lemack
176 E. Main Street
Westboro, Massachusetts 01581**

Respectfully submitted,


Kevin S. Lemack
Attorney for Applicants
Registration No. 32,579
Nields & Lemack
176 E. Main Street
Westboro, Massachusetts 01581
TEL: (508) 898-1818

Date: January 29, 2002

EXPRESS MAIL NO: ET121813705US

20060101 15:55:01

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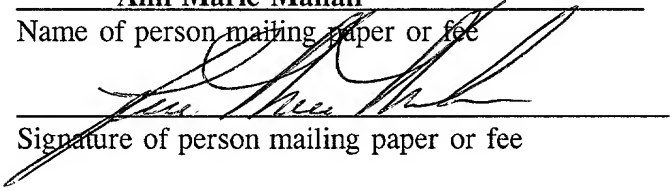
Applicants : Benny Garcia, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : IMPROVED ELECTRODEIONIZATION SYSTEM
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : MCA-499Div.
Type of paper : Fee Transmittal Form, together with a check

"EXPRESS MAIL" MAILING LABEL NO. ET121813705US
DATE OF DEPOSIT: January 29, 2002

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Ann Marie Mahan

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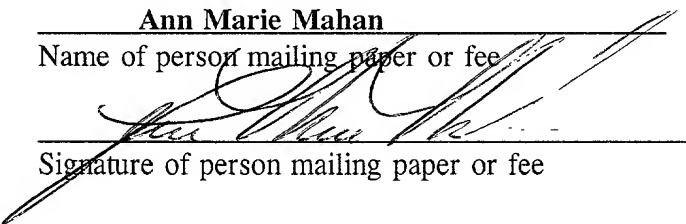
Applicants : Benny Garcia, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : IMPROVED ELECTRODEIONIZATION SYSTEM
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : MCA-499Div.
Type of paper : **Divisional Patent Application, together with a copy of the executed Declaration from the prior application serial no. 09/616,137**

"EXPRESS MAIL" MAILING LABEL NO. ET121813705US
DATE OF DEPOSIT: January 29, 2002

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Ann Marie Mahan

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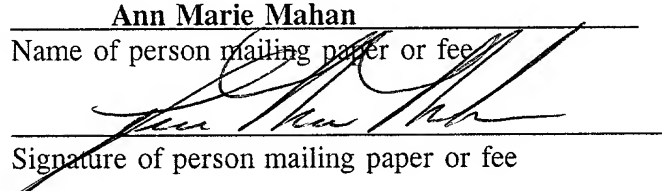
Applicants : Benny Garcia, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : IMPROVED ELECTRODEIONIZATION SYSTEM
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : MCA-499Div.
Type of paper : Preliminary Amendment

"EXPRESS MAIL" MAILING LABEL NO. **ET121813705US**
DATE OF DEPOSIT: January 29, 2002

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Ann Marie Mahan

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11002 U.S. PTO
10/059573
01/29/02

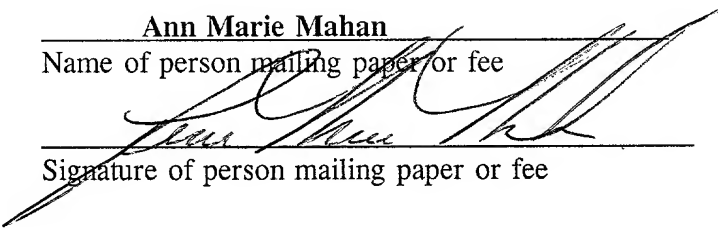
Applicants : Benny Garcia, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : IMPROVED ELECTRODEIONIZATION SYSTEM
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney :
Docket No. : MCA-499Div.
Type of paper : Utility Patent Application Transmittal Form

"EXPRESS MAIL" MAILING LABEL NO. ET121813705US
DATE OF DEPOSIT: January 29, 2002

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Ann Marie Mahan

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